Writ Petition NO. 26 S/B of 2001
(Old No.39757 of 2000)

D.P.Dowal …… Petitioner

Vs.

State of U.P. and others……. Respondents

Hon.P.C.Verma,J.
Hon.M.C.Jain,J.

Through this writ petition, the petitioner is seeking a writ of mandamus commanding the respondents to pay him post retirement benefits treating him to have retired from the post of Special Officer Incharge (Pharmacy). Petitioner was initially appointed as Pharmacist. Thereafter, he was promoted to the post of Incharge Officer (Pharmacy). From this post, the petitioner was to get promotion on the post of Special Officer Incharge (Pharmacy). This promotion was delayed. However, this promotion has been given to the petitioner after his retirement on 21.09.1998. The petitioner retired on 31.08.1998. Since the petitioner has been given promotion, this promotion shall be treated to be notional and the petitioner shall be entitled to the post retirement benefits as if he retired from the post of Special Officer Incharge (Pharmacy). The respondents are directed to settle post retirement benefits payable to the petitioner as if he has retired from the post of Special Officer Incharge (Pharmacy) within a period of three months from the date of production of copy of this order by the petitioner. All post retirement benefits shall be cleared of if there is nothing adverse against the petitioner The petition is disposed of accordingly.

(P.C.Verma,J.) (M.C.Jain,J.)

Dt.14.05.2001
A.